

Amendment No. 1 to SB1770

**Ford J
Signature of Sponsor**

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Date _____

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Comm. Amdt. _____

AMEND Senate Bill No. 1770*

House Bill No. 1786

by adding the following new subdivisions at the end of the amendatory language of Section 1:

(8) Notwithstanding any provision of law to the contrary, the clerks of both the criminal court and the general sessions court shall determine how many probations were let in the preceding calendar year and each clerk shall take that respective total number of probations let and divide it by the number of private probation companies duly licensed and eligible to do business in that division of court as of January 1, 2000. The resulting quotient shall represent the estimated expected average number of probations to be let each eligible private probation company in the upcoming year and that number shall further be divided by twelve (12) to arrive at the estimated expected average number of probations to be let each eligible private probation company on a monthly basis. This monthly average shall be multiplied by thirty-five (35). A cashier's check or other certified funds representing this total of one month's probation fee times estimated average monthly probations let shall be posted by the fifteenth (15th) of January of the calendar year in order to entitle eligible probation companies to participate in that coming year's rotating assignment of misdemeanor probationers and a like amount by the fifteenth (15th) of each calendar month thereafter. The base calendar year for this subsection is 1999-2000.

(9) The clerks of general sessions and criminal court shall devise and create a budget for the additional cost of operating and monitoring a rotational assignment system for misdemeanor probations. Said budget shall include all associated cost specifically but not limited to personnel, equipment, space and supplies.

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The operating budget for said rotational system shall be funded by the monthly administrative fees posted by the eligible companies with the respective clerks.

(10) All amounts collected from the eligible private probation companies during the calendar year by each respective clerk in excess of the amount budgeted and necessary for the operation and monitoring of the rotational system of misdemeanor probation assignment, shall be remitted by said clerk to the chief judge administering the "drug court" for the purpose of supplementing and extending funds for indigents to cover court-ordered alcohol and drug treatment. Said funds shall be remitted by the respective clerks to the chief drug court judge on or before February 1 each calendar year.